

BOARD OF PAROLE HEARINGS
Best Practices Advisory Committee Meeting
Tuesday, February 19, 2013

Meeting called to order at: 2:02 p.m.

CONSENT CALENDAR

Roll Call: **Present:** Ferguson, LaBahn, Peck, Zarrinnam, and Fritz, Chairperson
 Absent: None

Comments and clarifications regarding meeting minutes: January 15, 2013
No comments

Public Comment on Consent Calendar
No comments

Commissioner PECK moved to approve the January 2013 minutes, which was seconded by Commissioner FERGUSON. The motion was carried unanimously.

REPORTS

Report from Executive Officer
Executive Officer JENNIFER SHAFFER had nothing to report.

Report from Chief Counsel
Chief Counsel HOWARD MOSELEY had nothing to report.

Report from Chairperson
Commissioner CYNTHIA FRITZ, Chairperson, reported that it was the committee's goal to have a skeleton of the Bench Guide completed by July and that the Case Compendium project is almost complete and will be presented at the March 2013 meeting.

MOSELEY indicated that the commissioners will be getting another section of the BPH Mini-Manual today.

DISCUSSION ITEMS

Administrative Directive on Oral Testimony and Statements at Hearings, presented by Howard Moseley, Chief Counsel.

MOSELEY explained that generally speaking, only inmates give sworn oral testimony at parole suitability hearings; other participants make oral statements. Title 15, section 2402(b), covers oral testimony and oral statements. Section 2030(d)(1) states that cumulative testimony may be excluded. As the presiding hearing officer, the commissioner is responsible for ensuring that the hearing is focused and that information received is not duplicative. This administrative directive addresses these issues and provides guidelines on setting time limits for closing statements made by counsel at parole hearings.

Board Questions and Comments

SHAFFER asked if any additional guidance could be found in the California Rules of Court or other administrative law agencies. MOSELEY responded that the legal division would research the California Rules of Court and resubmit the administrative directive with any additional guidance found.

In response to other questions on the topic, MOSELEY stated that reasonable time limits on closing statements made by counsel are a regular practice in many forums.

Public Comments

No comments

Motions and Votes

None

OPEN COMMENTS

BPH Commissioners - Agenda Items for Future Meetings

No comments

Public Comment -

No comments

Meeting adjourned at 2:50 p.m.

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